

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

BARBARA FISHER,

Plaintiff,

-vs-

PERMA-FIX OF DAYTON, INC.,

Defendant.

:

Case No. 3:04-cv-418

:

Chief Magistrate Judge Michael R. Merz

:

SUBSTITUTE JUDGMENT ENTRY

On Motions of both parties (Doc. Nos. 150, 151), for good cause shown, and upon leave reserved in the Conditional Dismissal Order (Doc. No. 148), pursuant to Paragraph 14 of the December 19, 2007, Settlement Agreement entered into between Plaintiff Barbara Fisher and Defendant Perma-Fix of Dayton (the "Settlement Agreement"), it is hereby ordered that all claims that Barbara Fisher asserted in this litigation against Perma-Fix of Dayton are dismissed with prejudice, effective May 20, 2008.

The Court retains continuing jurisdiction to construe and enforce the provisions of the Settlement Agreement which is attached hereto and incorporated herein as if fully set forth.

Each party shall bear his or its own costs.

April 14, 2008.

s/ **Michael R. Merz**
Chief United States Magistrate Judge